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Dated: October 28, 2008

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(William A. Di Bianca)

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Docket No.: SPINE 3.0-437 CPCPCPCPCPCPCP I CON V  
(PATENT)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Errico et al.

Application No.: 10/663,486

Filed: September 16, 2003

For: INTERVERTEBRAL SPACER DEVICE  
HAVING RECESSED NOTCH PAIRS FOR  
MANIPULATION USING A SURGICAL  
TOOL:  
:  
:  
:  
: Group Art Unit: 3738  
:  
: Examiner: B. E.  
Pellegrino  
:  
:  
:MS Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450AMENDMENT UNDER RULE 312

Dear Sir:

In response to the Notice of Allowance and Examiner's Amendment dated July 31, 2008, Applicants submit the following amendment and remarks.

OK TO ENTER: /BP/

Formal Matters Only

915511, 1.DXX